OTPE 1018

Information Disclosure Statement

Response to Missing Parts under 37 CFR 1.52 or 1.53

Certified Copy of Priority

Response to Missing Parts/ Incomplete Application

Document(s)

PTO/SB/21 (modified) (02-04)
Approved for use through 07/31/2006. OMB 0651-0031
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In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to

charge deposit account No. 50-0845 for the cost of such extension.

PTO/SB/08A with 13 cited references

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCI

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TRANSMITTAL		Application Number Filing Date		09/931,593 August 16, 2001	
(to be used for all correspondence after initial	filing)	Art Unit	3662		
		Examiner Name		Bernarr E. Gregory	
Total Number of Pages in This Submission	100	Attorney Docket Number		RTN-144PUS	
	ENC	LOSURES (Check all that appl	<i>y</i> )		
¥ Fee Transmittal Form		Assignment Papers (for an Application)		After Allowance communication to Technology Center (TC)	
<b>X</b> Fee Attached		Drawing(s)		Appeal Communication to Board of Appeals and Interferences	
Amendment/Reply		Licensing-related Papers		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)	
After Final		Petition		Proprietary Information	
Affidavits/declaration(s)		Petition to Convert to a Provisional Application		Status Letter	
Extension of Time Request		Power of Attorney, Revocation Change of Correspondence Address	X	Other Enclosure(s) (please Identify below):	
Express Abandonment Request	1	•	l		

Terminal Disclaimer

Request for Refund

Remarks

CD, Number of CD(s).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or	Kermit Robinson	Reg. No. 48,734			
Individual name	Daly, Crowley & Mofford, LLP				
Signature	Henry Brim				
Date	NOV 2, 2004				

#### CERTIFICATE OF TRANSMISSION/MAILING

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the date shown below.		
Typed or printed name	Kermit Robinson	
Signature	Kem Drum	Date Nov2,2004
This sallesties of information		

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (10-04)

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### FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

SUBMITTED BY

Name (Print/Type)

180 TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known				
Application Number	09/931,593			
Filing Date	August 16, 2001			
First Named Inventor	James T. Hanson			
Examiner Name	Bernarr E. Gregory			
Art Unit	3662			
Attorney Docket No.	RTN-144PUS			

METH	FEE CALCULATION (continued)						
Check Credit card Money Other None			3. ADDITIONAL FEES				
Deposit Account:			Large Entity   Small Entity				
Deposit		Fee Code		Fee Code	Fee (\$)	Fee Description	Fee Paid
Account Number	50-0845	1051	130	2051	1.7	Surcharge - late filing fee or oath	Fee Faiu
Deposit	Daly, Crowley & Mofford, LLP	1052	50	2052		Surcharge - late provisional filing fee or	
Account Name	Daly, Crowley & Monord, LLI	4050	400			cover sheet	
	s authorized to: (check all that apply)	1053	130 2,520	1053 1812		Non-English specification  For filing a request for ex parte reexamination	
	c(s) indicated below Credit any overpayments	1804	920*	1804	,	Requesting publication of SIR prior to	<u> </u>
Charge any	y additional fee(s) or any underpayment of fee(s)	1004	920	1004	920	Examiner action	<b> </b>
<u> </u>	(s) indicated below, except for the filing fee dentified deposit account.	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
10 0.00 0.00 0.00	FEE CALCULATION	1251	110	2251	55	Extension for reply within first month	
1. BASIC FI	-	1252	430	2252	215	Extension for reply within second month	<b> </b>
Large Entity S		1253	980	2253	490	Extension for reply within third month	
Fee Fee	Fee Fee Fee Description Fee Paid	1254	1,530	2254	765	Extension for reply within fourth month	
``'	Code (\$) 2001 395 Utility filing fee	1255	2,080	2255	1,040	Extension for reply within fifth month	
1001 750	2002 175 Design filing fee	1401	340	2401	170	Notice of Appeal	
1002 550	2003 275 Plant filing fee	1402	340	2402		Filing a brief in support of an appeal	
1003 333	2004 395 Reissue filing fee	1403	300	2403		Request for oral hearing	
	2005 80 Provisional filing fee	1451	1,510	1451		Petition to institute a public use proceeding	
		1452	110	2452		Petition to revive - unavoidable	
( / [(+/			1,370	2453	685	Petition to revive - unintentional	
2. EXTRA C	CLAIM FEES FOR UTILITY AND REISSUE	1501	1,370	2501		Utility issue fee (or reissue)	
	Extra Claims below Fee Paid	1502	490	2502		Design issue fee	
Total Claims Independent	-20** = 0 × = 0	1503	660	2503	330	Plant issue fee	
Claims	-3" = 0 × = 0	1460	130	1460	130	Petitions to the Commissioner	
Multiple Deper	ident=	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity	<del></del>	1806	180	1806		Submission of Information Disclosure Stmt	180
Fee Fee Code (\$)	Fee Fee Fee Description Code (\$)	8021	40	8021	i 40	Recording each patent assignment per property (times number of properties)	ļ [.
1202 18	2202 9 Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection	
1201 88	2201 44 Independent claims in excess of 3	1		l <u>.</u>		(37 CFR 1.129(a))	
1203 300	2203 150 Multiple dependent claim, if not paid	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1204 88	2204 44 ** Reissue independent claims over original patent	1801	790	2801	395	Request for Continued Examination (RCE)	
1205 18	2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application	
	Other	fee (sp	ecify) _				
SUBTOTAL (2) (\$) 0  **or number previously paid, if greater: For Reissues, see above				Basic I	Filing F	ee Paid SUBTOTAL (3) (\$)	180

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Kermit Robinson

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Registration No.

(Attorney/Agent

48,734



#### ATES PATENT AND TRADEMARK OFFICE

Appl. No.

09/931,593

Confirmation No.: 2208

**Applicant** 

James T. Hanson et al.

Filed

August 16, 2001

T.C./A.U.

3662

Examiner

Bernarr E. Gregory

Docket No.

RTN-144PUS

Customer No.:

022494

#### Certificate of Mailing (37 C.F.R. 1.8(a))

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and Mail Deposit

Reg. No. 48,734

#### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO form PTO/SB/08A (Formerly #1449). The paragraph(s) marked below are applicable to this Information Disclosure Statement.

[ ] The enclosed Information Disclosure Statement is being filed: within three (1) months of the filing date; or within three months of the entry of the national stage of the aboveidentified application; or before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. Accordingly, Applicant(s) believes that no fee or statement is required.

[X] (2) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by the fee set forth in 37 C.F.R. § 1.17(p).

## SUBMISSION UNDER 37 C.F.R. § 1.97(c) INCLUDING A STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

[ ] (3) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(1). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement.

# SUBMISSION UNDER 37 C.F.R. § 1.97(c) INCLUDING A STATEMENT UNDER 37 C.F.R. § 1. 97(e)(2)

[ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(2). The undersigned hereby states that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual having a duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of the accompanying Information Disclosure Statement.

#### SUBMISSION UNDER 37 C.F.R. § 1.97(c)

#### INCLUDING STATEMENTS UNDER 37 C.F.R. §§ 1.704(d) AND 1.97(e)(1)

[ ] (5) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by statements under 37 C.F.R. §§ 1.704(d) and 1.97(e)(1). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement and was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the accompanying Information Disclosure Statement.

# SUBMISSION UNDER 37 C.F.R. § 1.97(d) INCLUDING A STATEMENT UNDER 37 C.F.R. §1.97(e)(1)

[ ] (6) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by a statement under 37 C.F.R. § 1.97(e)(1) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

## SUBMISSION UNDER 37 C.F.R. § 1.97(d) INCLUDING A STATEMENT UNDER 37 C.F.R. §1.97(e)(2)

[ ] (7) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by a statement under 37 C.F.R. § 1.97(e)(2) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to

any individual having a duty of disclosure as set forth in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the accompanying Information Disclosure Statement.

#### SUBMISSION UNDER 37 C.F.R. § 1.97(d)

### INCLUDING STATEMENTS UNDER 37 C.F.R. §§ 1.704(d) AND 1.97(e)(1)

[ ] (8) Pursuant to 37 C.F.R. § 1.97(d), the enclosed Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by statements under 37 C.F.R. §§ 1.704(d) and 1.97(e)(1) and the fee required under 37 C.F.R. § 1.17(p). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement and was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the accompanying Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made.

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy Rule 98(a) (3) even if in a foreign language, since the few terms of relevance therein are deemed of universal cognizance. However, Applicant(s) does not necessarily adopt the position reflected by that report.

Dated: Nov 2, 2004

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 500845.

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

By:\_

Kermit Robinson Reg. No. 48,734

Attorney for Applicant(s) 275 Turnpike Street, Suite 101 Canton, MA 02021-2354

Tel.: (781) 401-9988, Ext. 24

Fax: (781) 401-9966

kr@dc-m.com

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Substitute for form 1449/PTO

Sheet

### INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Complete if Known					
Application Number	09/931,593				
Filing Date	August 16, 2001				
First Named Inventor	James T. Hanson				
Art Unit	3662				
Examiner Name	Bernarr E. Gregory				
Attorney Docket Number	RTN-144PUS				

				DOCUMENTS	
Examiner Initials*	Cite No. <sup>1</sup>	Document Number  Number-Kind Code <sup>2 (# known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	i_	<sup>US-</sup> 3,641,451	02/08/1972	Hollingsworth et al.	
		<sup>US-</sup> 3,866,136	02/11/1975	Augustin et al.	
		<sup>US-</sup> 4,019,150	04/19/1977	Lurey et al.	
		<sup>US-</sup> 4,101,841	07/18/1978	Okada et al.	
		<sup>US-</sup> 4,992,753	02/12/1991	Jenson et al.	
		<sup>US-</sup> 5,132,632	07/21/1992	Russell et al.	
		<sup>US-</sup> 5,177,453	01/05/1993	Russell et al.	
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		FOREI	GN PATENT DOCU	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	T
	ļ	Country Code <sup>3</sup> Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T <sub>e</sub>
		JP 60171818A2	09/05/1985	Hiroshi		
	1	JP 60171818A2 (Abstract Only)	09/05/1985	Hiroshi		x
		JP 64-007119	01/11/1989	Kenji		$\vdash$
		JP 64-007119 (Abstract Only)	01/11/1989	Kenji		х
	_/	JP 64-016111	01/19/1989	Hisashi		
		JP 64-016111 (Abstract Only)	01/19/1989	Hisashi		x

Examiner	Date
Cinnatura	55.0
Signature	Considered
	Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 

Applicant's unique citation designation number (optional). 

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Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 

For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 

Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 

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